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13 **UNITED STATES DISTRICT COURT**

14 **DISTRICT OF NEVADA**

15 UNITED STATES OF AMERICA,

16 Plaintiff,

v.

17 RAMON AVENDANO-SOTO, and
18 JORGE ALFREDO SOTO

19 Defendant.

20 Case No. 2:20-CR-003-APG-EJY

21 **STIPULATION TO CONTINUE
EVIDENTIARY HEARING**
(Second Request)

22 IT IS HEREBY STIPULATED AND AGREED, by and between Nicholas A.
23 Trutanich, United States Attorney, and Kevin Schiff, Assistant United States Attorney, counsel
24 for the United States of America, and Rene L. Valladares, Federal Public Defender, and
25 Raquel Lazo, Assistant Federal Public Defender, counsel for Ramon Avendano-Soto, and
26 Christopher Oram, counsel for Jorge Alfredo Soto, that the Evidentiary Hearing currently
scheduled on November 18, 2020 at 9:00 am, be vacated and continued to a date and time
convenient to the Court, but no sooner than thirty (30) days.

27 This Stipulation is entered into for the following reasons:
28

1 1. On June 4, 2020 and June 23, 2020, both defendants filed motions to suppress.
2 ECF No. 27, 37, and 38. The suppression hearing is currently scheduled for November 18,
3 2020. ECF No. 63.

4 2. Avendano additionally filed a motion to compel. ECF No. 48. On October 2,
5 2020, this Court entered an order requiring the government to deliver materials pertaining to
6 the CI for an in-camera inspection by October 15, 2020. ECF No. 64. The parties stipulated to
7 a 30-day continuance for the delivery of the materials as well as other outstanding discovery
8 requested by the defense. ECF No. 65. This Court extended the deadline to November 12, 2020.
9 ECF No. 66.

10 3. This deadline is only two days before the currently scheduled evidentiary
11 hearing date. An extension of time will permit this Court to review the in-camera documents
12 with sufficient time and determine whether any of the documents will be disclosed to the
13 defense in advance of the evidentiary hearing. The additional time will also permit the defense
14 to review any in-camera documents that this Court may order be disclosed to the defense. It
15 will also provide defense counsel time to review the requested supplemental discovery (the CI's
16 phone). These items are pertinent to the pending motion and may impact the litigation
17 surrounding the motion.

18 4. Defendants are not incarcerated and do not object to a continuance.

19 5. Additionally, denial of this request for continuance could result in a miscarriage
20 of justice.

21 This is the second request for continuance filed herein.

1 DATED this 21st day of October, 2020.
2

3 RENE L. VALLADARES
4 Federal Public Defender

5 NICHOLAS A. TRUTANICH
6 Acting United States Attorney

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8
9 /s/ *Raquel Lazo*
10 By _____
11 RAQUEL LAZO
12 Assistant Federal Public Defender

13 /s/ *Kevin Schiff*
14 By _____
15 KEVIN SCHIFF
16 Assistant United States Attorney

17
18 /s/ *Christopher Oram*
19 By _____
20 CHRISTOPHER ORAM
21 Counsel for Jorge Alfredo Soto

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

V.

RAMON AVENDANO-SOTO, and
JORGE ALFREDO SOTO

Defendant.

Case No. 2:20-CR-003-APG-EJY

ORDER

Based on the Stipulation of counsel and good cause appearing,

IT IS THEREFORE ORDERED that the Evidentiary Hearing currently scheduled on November 18, 2020 at the hour of 9:00 a.m., be vacated and continued to January 7, 2021 at the hour of 9:30 a.m., in Courtroom 3D.

DATED this 22nd day of October, 2020.

Elayna J. Zouchal
UNITED STATES MAGISTRATE JUDGE